

6
82-83-A
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3 B (211.3 & 301.1) to permit a side yard setback for a carport of 0' instead of the required 6'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

There is no basement. Protection of driveway from neighbors trees and the elements is my main need for a carport.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulation and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address
Phone No.

Legal Owner(s):
John C. Smith
(Type or Print Name)
Signature
Merle E. Smith
(Type or Print Name)
Signature
4701 MAWANI RD. 21206
Address
BALTO. MD 21206
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address
Phone No.

City and State
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of July, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of September, 1981, at 9:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

DATE September 14, 1981



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 464-3559

STEPHEN E. COLLINS
DIRECTOR

August 27, 1981

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 6, 7, 8, and 10 of ZAC meeting July 14, 1981.

Michael S. Flanagan
Traffic Engineering Associate II

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERDER
DIRECTOR

September 9, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #6, Zoning Advisory Committee Meeting, July 14, 1981, are as follows:

Property Owner: John C and Merle E. Smith
Location: S/S Mawani Road 120' E. of Dale Avenue
Acres: Lot #1 of "Dalewood Addn." Book 21 Folio 78

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development

JLW:rh

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 9, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Bureau of Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. John G. Smith
4701 Mawani Road
Baltimore, Maryland 21206

RE: Item # 6
John G. & Merle E. Smith
Variance Petition

Dear Mr. & Mrs. Smith:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning has filed a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Particular attention should be afforded to the comments of the Department of Permits and Licenses concerning the type of construction for your proposed carport.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:rh

Enclosures

July 30, 1981

Comments on Item #6 Zoning Advisory Committee Meeting, July 14, 1981 are as follows.

Property Owner: John G. & Merle E. Smith
Location: S/S Mawani Road 120' E. of Dale Avenue
Acres: 1.8, 5.5
Proposed Zoning: Variance to permit a side yard setback of 0' in lieu of the required 6'.
District: Lot #1 of "Dalewood Addn." Book 21 Folio 78
14th

I. Comments-

The roof and supports shall not be within 1" of the property line to allow for footings and possible fire wall/party wall Code Requirements.
Section 906.2 allows for the omission of exterior walls if the columns and supportive members are of the proper fire rating. Wood frame construction requires a one hour fire rating when it is within 6'-0" of a property line (Table 211, Item 1).
The portion of the roof falling within 6'-0" of the interior lot line shall be 1 hour rated by the use of the 5/8 Fire Code dry wall ceiling on the rated equivalent, along with fire retardant treated wood for structural members.
The roof shingles shall be Class "C" or better.

Charles E. Linton

rrj/



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 5, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #6 (1981-1982)
Property Owner: John G. & Merle E. Smith
S/S Mawani Rd. 120' E. of Dale Ave.
Acres: Lot #1 of "Dalewood Addn." Book 21 Folio 78
District: 14th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lot 1 plat of "Dalewood Addition", recorded G.L.B. 21, Folio 78.

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 6 (1981-1982).

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

J-NE Key Sheet - 20 NE 18 Pos. Sheet
NE 5 E Topo - 81 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: July 16, 1981
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following Zoning Variance Items, and has no specific comments regarding same:

- Item #214 - Joseph F. Trionfo, Sr.
- Item #215 - Bruce E. & Ellen M. Hamilton
- Item #218 - Robert W. & Carolyn G. Inley
- Item #2 - Stewart P. & Henene M. Jung, Sr.
- Item #3 - Richard Talbott Walker, et al
- Item #4 - Ronald G. & Nadene A. Evelyn
- Item #6 - John G. & Merle E. Smith

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJP/rth

ORDER RECEIVED FOR FILING

DATE September 24, 1981

BY John P. Leavitt
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would ~~not~~ result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested ~~will~~ will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 21st day of September, 1981, that the herein Petition for Variance(s) to permit a side yard of zero feet in lieu of the required six feet, for the expressed purpose of constructing an open carport, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Down spouts shall be provided and located so as to direct the rain water onto the petitioners' property.
2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jan M. H. Jones
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dibel, Superintendent

Towson, Maryland - 21204

Date: July 9, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 14, 1981

RE: Item No: 6, 7, 8, 9, 10
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PETITION FOR VARIANCE

14th District

ZONING: Petition for Variance
LOCATION: South side of Mawani Rd., 120 ft. East of Dale Ave.
DATE & TIME: Thursday, September 17, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback for a carport of 0' instead of the required 6'

The Zoning Regulation to be excepted as follows:

Section 1B02.3B (211.3 & 301.1) Minimum side yard setback in D.R. 5.5 (R6) Zone
All that parcel of land in the Fourteenth District of Baltimore County

Being the property of John G. Smith, et ux, as shown on plat planfiled with the Zoning Department
Hearing Date: Thursday, September 17, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
S/S of Mawani Rd., 120'
E of Dale Ave., 14th District
JOHN G. SMITH, et ux,
Petitioners

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 82-83-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of August, 1981, a copy of the foregoing Order was mailed to Mr. and Mrs. John G. Smith, 4701 Mawani Road, Baltimore, Maryland 21206, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning
Petition No. 82-83-A Item 6

Date: September 3, 1981

Petition for Variance
South side of Mawani Road, 120 ft. East of Dale Avenue
Petitioner- John G. Smith, et ux

Fourteenth District

HEARING: Thursday, September 17, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab

Mr. and Mrs. John C. Smith
4701 Mawani Road
Baltimore, Maryland 21206

August 20, 1981

NOTICE OF HEARING

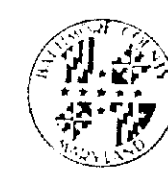
RE: Petition for Variance
S/S Mawani Rd., 120' E of Dale Ave
Case #82-83-A

TIME: 9:45 A.M.

DATE: Thursday, September 17, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

September 10, 1981

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Mr. and Mrs. John G. Smith
4701 Mawani Road
Baltimore, Maryland 21206

RE: Petition for Variance
S/S Mawani Rd., 120' E of Dale Ave.
Case #82-83-A

Dear Mr. and Mrs. Smith:

This is to advise you that \$44.50 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 101617

DATE: 9/16/81 ACCOUNT: 01-642

AMOUNT: \$44.50

RECEIVED FROM: John G. Smith
FOR: Posting & Advertising of Case #82-83-A

44.50

VALIDATION OR SIGNATURE OF CASHIER

81-1737

July 27, 1981

Mr. Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee
Baltimore County Office of
Planning & Zoning
Towson, Maryland 21204

Mr. Commodari,

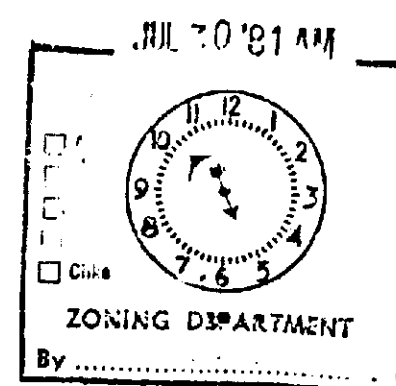
JOHN G. SMITH

In regards to your letter of July 22, past, pertaining to item #6 (variance petition), Mr. Burnham of Dept. of Permits and Licenses suggested that I should send this letter to state that I am agreeable to applying required materials when constructing the carport involved. (type "C" shingles, etc.).

Thank you very much for the efficient way this situation has been handled.

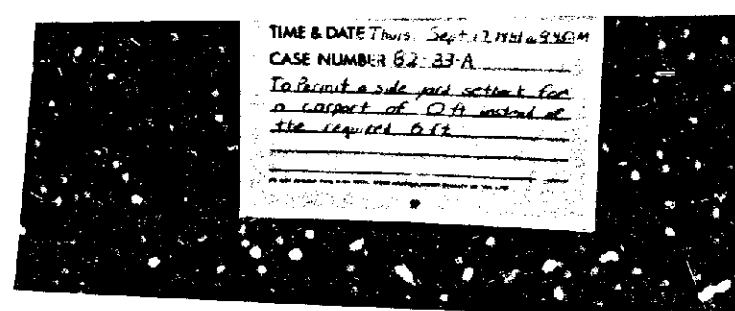
Sincerely yours,

John G. Smith
John G. Smith
4701 Mawani Road
Baltimore, Md. 21206
Phone: 665-2545



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14 Date of Posting: 8/30/81
Posted for: John G. Smith
Petitioner: John G. Smith
Location of property: 4701 Mawani Road
Location of Signs: front of property (4701 Mawani Road)
Remarks: None
Posted by: Sharon Lee Cavant Date of return: 8/31/81
Number of Signs: 1



Surveyors Discription:

Beginning at a point in the South side of Mawani Road 120' East of Dale Ave. and known as lot 1 of "Dalewood Addition" and recorded among the land records of Baltimore County in Plat book 21. Folio 78

Also known as 4701 Mawani Road



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 21, 1981

Mr. & Mrs. John G. Smith
4701 Mawani Road
Baltimore, Maryland 21206

RE: Petition for Variance
S/S of Mawani Rd., 120' E of Dale Ave.
14th Election District
John G. Smith, et ux - Petitioners
NO. 82-83-A (Item No. 6)

Dear Mr. & Mrs. Smith:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JAN M. H. JUNG
Deputy Zoning Commissioner

JMHI/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>LOT</u>	Revised Plans: Change in outline or description Yes <u> </u> No <u> </u>									
Previous case: <u> </u>	Map # <u> </u>									

Mr. & Mrs. John G. Smith
4701 Mawani Road
Baltimore Maryland, 21206

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 11th day of July, 1981.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: John G. & Marie E. SmithPetitioner's Attorney:

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

DUPLICATE CERTIFICATE OF PUBLICATION

TOWSON, MD. August 27, 1981
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. one time before the 17th day of Sept. 1981, the 1st publication appearing on the 27th day of August, 1981.

THE JEFFERSONIAN.

Manager.

Cost of Advertisement, \$ 17.50

PETITION FOR VARIANCE 14th DISTRICT

ZONING: Petition for Variance
LOCATION: South side of Mawani Rd., 120' E of Dale Ave.
DATE & TIME: Thursday, September 17, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to permit a side yard setback for a carport of 12' instead of the required 6'.
The zoning Regulation to be exempted as follows:
Section 1802.3B (21.3 & 30.1) Minimum side yard setback in D.R.S. (RA) Zone.

All that parcel of land in the Fourteenth District of Baltimore County, Maryland, beginning at a point in the South side of Mawani Road 120' East of Dale Ave. and known as lot 1 of "Dalewood Addition" and recorded among the land records of Baltimore County in Plat Book 21, Folio 78.
Also known as 4701 Mawani Road.
Being the property of John G. Smith, et ux, as shown on plat plan filed with the Zoning Department Hearing Date: Thursday, September 17, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
By Order of
WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County
AUG 27

The Times

Middle River, Md., Aug 27 1981
This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 27th day of August, 1981
Sharon Lee Cavant Publisher.

\$22.00

Petition For Variance 14th District

ZONING: Petition for Variance
LOCATION: South side of Mawani Rd., 120' E of Dale Ave.
DATE & TIME: Thursday, September 17, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to permit a side yard setback for a carport of 12' instead of the required 6'.
The zoning Regulation to be exempted as follows:
Section 1802.3B (21.3 & 30.1) Minimum side yard setback in D.R.S. (RA) Zone.

All that parcel of land in the Fourteenth District of Baltimore County, Maryland, beginning at a point in the South side of Mawani Road 120' East of Dale Ave. and known as lot 1 of "Dalewood Addition" and recorded among the land records of Baltimore County in Plat Book 21, Folio 78. Also known as 4701 Mawani Road.
Being the property of John G. Smith, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, September 17, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
BY ORDER OF
WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 28 day of June, 1981.

Filing Fee \$ 25.00

Received: ☒ Check
☐ Cash
☐ Other

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

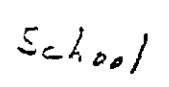
No. 100453

E. Hammond, Zoning Commissioner

DATE: 8/19/81 ACCOUNT: 01-662AMOUNT: \$25.00RECEIVED FROM: Sharon Lee Cavant (John G. Smith)FOR: Filing Fee for Case #E2-E2-A

VALIDATION OR SIGNATURE OF CASHIER

A geological sketch map showing a road labeled "Dale Ave" and a "Main Dr". The map includes a "Gravel pit" and a "Gravel pit" with a "Gravel pit" label. The map is oriented with North at the top.

[illegible]

1700-6

